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DATE: November 29, 2006

TO: Examiner SAMS, Matthew C. **FAX NO.:** 571-273-8300
USPTO GPAU 2617

FROM: Jeffrey G. Toler
Reg. No.: 38,342

RE U.S. App. No.: 10/668,686, filed September 23, 2003

Applicant(s): Larry B. Pearson, et al.

Atty Dkt No.: 1033-SS00414

Title: LOCATION BASED CALL ROUTING FOR CALL ANSWERING SERVICES

NO. OF PAGES (including Cover Sheet): 24

MESSAGE:

Attached please find:

☒ Transmittal Form (1 pg)
☒ Fee Transmittal [in duplicate] (2 pgs)
☒ Brief in Support of Appeal (20 pgs)

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TRANSMITTAL FORM

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Total Number of Pages in This Submission: 24

Application Number	10/668,686
Filing Date	September 23, 2003
First Named Inventor	Larry B. Pearson, et al.
Art Unit	2617
Examiner Name	SAMS, Matthew C.
Attorney Docket Number	1033-SS00414

ENCLOSURES *(Check all that apply)*

- [x] Fee Transmittal Form
  - [ ] Fee Attached
- [ ] Amendment/Reply
  - [ ] After Final
  - [ ] Affidavits/declaration(s)
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- [ ] Express Abandonment Request
- [ ] Information Disclosure Statement
- [ ] Certified Copy of Priority Document(s)
- [ ] Reply to Missing Parts/ Incomplete Application
  - [ ] Reply to Missing Parts under 37 CFR 1.52 or 1.53
- [ ] Drawing(s)
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- [ ] Petition
- [ ] Petition to Convert to a Provisional Application
- [ ] Power of Attorney, Revocation
- [ ] Change of Correspondence Address
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- [ ] CD, Number of CD(s) _____
  - [ ] Landscape Table on CD
- [ ] After Allowance Communication to TC
- [ ] Appeal Communication to Board of Appeals and Interferences
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Date	11-27-2006	Reg. No.	38,342

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FEE TRANSMITTAL
For FY 2006

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT ($) 500.00

Complete if Known	
Application Number	10/668,686
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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES Fee ($)	FILING FEES Small Entity Fee ($)	SEARCH FEES Fee ($)	SEARCH FEES Small Entity Fee ($)	EXAMINATION FEES Fee ($)	EXAMINATION FEES Small Entity Fee ($)	Fees Paid ($)
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee ($)	Small Entity Fee ($)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims ____ - 20 or HP = ____ x Extra Claims ____ Fee ($) ____ = Fee Paid ($) ____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims ____ - 3 or HP = ____ x Extra Claims ____ Fee ($) ____ = Fee Paid ($) ____

HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims: Fee ($) ____ Fee Paid ($) ____

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets ____ - 100 = ____ / 50 = ____ (round up to a whole number) x Fee ($) ____ = Fee Paid ($) ____

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	Fees Paid ($)
Non-English Specification, $130 fee (no small entity discount)	
Other (e.g., late filing surcharge): Brief in Support of Appeal Fee	500.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 38,342	Telephone 512/327-5515
Name (Print/Type)	Jeffrey G. Toler		Date 11-29-2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	**Larry B. Pearson, et al.**		
Title:	**LOCATION BASED CALL ROUTING FOR CALL ANSWERING SERVICES**		
App. No.:	**10/668,686**	Filed:	**September 23, 2003**
Examiner:	**SAMS, Matthew C.**	Group Art Unit:	**2617**
Atty. Dkt. No.:	**1033-SS00414**	Confirmation No.:	**1039**

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BRIEF IN SUPPORT OF APPEAL

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I. REAL PARTY IN INTEREST (37 C.F.R. § 41.37(c)(1)(i))

The Real Party in Interest in the present Appeal is **SBC Knowledge Ventures, L.P.**, the assignee, of patent application no. **10/668,686**, as evidenced by the assignment set forth at Reel **014426**, Frame **0118**.

II. RELATED APPEALS AND INTERFERENCES (37 C.F.R. § 41.37(c)(1)(ii))

With respect to other appeals or interferences that will directly affect, or be directly affected by, or have a bearing on the Board's decision in this appeal, Appellant is not aware of any such appeals or interferences.

III. STATUS OF CLAIMS (37 C.F.R. § 41.37(c)(1)(iii))

A. Total Number of Claims in Application

There are 35 claims pending in the application (claims 1-11, 13-27, 29-36 and 42).

B. Status of the Claims

Claims 1, 13, and 23 are independent claims. According to paragraphs 7, 8 and 9 of the Office Action dated August 23, 2006, the Examiner states that claims 1-11, 13-27, 29-36 and 42 stand rejected, and the rejections of these claims are hereby appealed. Claims 12 and 28 were canceled in the Amendment filed June 8, 2006. Claims 37-41 were withdrawn from consideration in the Amendment filed December 12, 2005.

C. Claims on Appeal

There are 35 claims on appeal (claims 1-11, 13-27, 29-36 and 42).

IV. STATUS OF AMENDMENTS (37 C.F.R. § 41.37(c)(1)(iv))

The claims hereby appealed are based on the Amendment filed June 8, 2006. No amendment was offered or entered after the Final Office Action.

V. SUMMARY OF THE CLAIMED SUBJECT MATTER (37 C.F.R. § 41.37(c)(1)(v))

The subject matter of claim 1 can be summarized as follows:

A method of processing a call is provided. The method includes receiving location data via an interconnected network. The location data is derived from a proximity sensor. The proximity sensor is configured to provide a proximity determination with respect to a mobile device of a subscriber and the proximity sensor. The method also includes sorting a list of a plurality of addresses identifying communication devices of the subscriber based on the location data. The method also includes receiving a first call at a primary destination address associated with the subscriber and selecting a first address from the sorted list of the plurality of addresses. The selected address identifies a communication device of the subscriber proximate to the proximity sensor.

Claim 1 finds support from at least page 2, paragraph [0011]; page 3, paragraph [0014]; page 4, paragraph [0015]; and page 8, paragraphs [0025] and [0026] of the specification.

The subject matter of claim 13 can be summarized as follows:

A method to update a proximity zone state is provided. The method includes receiving location data via an interconnected network. The location data is derived from a proximity sensor. The proximity sensor is configured to provide a proximity determination with respect to a mobile device of a subscriber and the proximity sensor. The method includes detecting a change in subscriber location based on the location data. The method also includes determining a change from a first proximity zone state to a second proximity zone state based on the subscriber location. The method also includes updating a data record utilizing the location data. The data record is accessible to a call redirection control system. The data record includes a proximity zone field. The proximity zone field is changed from a first proximity zone state to a

second proximity zone state. The data record further includes an ordered list of addresses of the subscriber. The ordered list of addresses is reordered based on the changed proximity zone field.

Claim 13 finds support from at least page 2, paragraph [0011]; page 3, paragraph [0014]; page 4, paragraph [0015]; page 5, paragraph [0019]; and page 8, paragraph [0027] of the specification.

The subject matter of claim 23 can be summarized as follows:

A system for manipulating call redirection is provided. The system includes a proximity sensor configured to determine whether a mobile device is proximate to the proximity sensor. The proximity sensor is a charging cradle. The charging cradle is configured to provide energy to a battery within the mobile device when the mobile device is positioned in the cradle. The system also includes computational circuitry coupled to the proximity sensor. The proximity sensor is configured to communicate data to the computational circuitry. The data is associated with a proximity determination with respect to the mobile device and the proximity sensor. The system also includes an interconnected network access point to a computer network coupled to the computational circuitry to transmit a call redirection control message via the interconnected network access point in response to the proximity determination.

Claim 23 finds support from at least page 2, paragraph [0011]; page 3, paragraph [0014]; page 6, paragraph [0021]; page 7, paragraph [0024]; and page 9, paragraph [0028] of the specification.

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL (37 C.F.R. § 41.37(c)(1)(vi))

A. Claims 1-5, 9-11, 13-19, 23-26, 29, 31-33, and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davidson et al. (US 4,932,050) in view of Goss (US 6,320,534).

B. Claims 6-8 and 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davidson et al. (US 4,932,050) in view of Goss (US 6,320,534) in further view of Gross (US 6,389,117).

C. Claims 27, 30, and 34-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davidson et al. (US 4,932,050) in view of Goss (US 6,320,534) in further view of Theimer (US 5,603,054).

VII. ARGUMENT (37 C.F.R. § 41.37(c)(1)(vii))

Appellant respectfully appeals each of the rejections applied against all claims now pending on appeal.

A. CLAIMS 1-5, 9-11, 13-19, 23-26, 29, 31-33, and 42 ARE ALLOWABLE OVER DAVIDSON IN VIEW OF GOSS

There are three independent claims in the case. Each independent claim stands or falls independently. Arguments demonstrating the allowability of each independent claim are presented herein.

Appellant traverses the rejection of claims 1-5, 9-11, 13-19, 23-26, 29, 31-33, and 42 under 35 U.S.C. 103 (a) over Davidson, et al. in view of Goss at page 2, paragraph 7, of the Final Office Action.

The Final Office Action fails to establish a *prima facie* case of obviousness, which requires:

> 1) there must be a suggestion or motivation to make the asserted combination, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art;
>
> 2) there must be a reasonable expectation of success; and
>
> 3) the alleged combination teach or suggest all the claim limitations.

See M.P.E.P. §2142.

Appellant submits that the asserted combination fails to disclose or suggest the particular combination of elements recited in the claims. Additionally, the combination is improper because there is no motivation to modify the references since the modification would render the references unsatisfactory for their intended purposes. Further, the asserted combination is

improper because the references teach away from their combination. *In re Grasselli*, 713 F.2d 731, 743, 218 USPQ 769, 779 (Fed. Cir. 1983).

Independent claim 1 recites "sorting a list of a plurality of addresses identifying communication devices of the subscriber based on the location data." Neither Davidson, nor Goss, discloses or suggests this feature. The Final Office Action acknowledges that Davidson does not disclose this feature of claim 1. (See *Final Office Action*, p. 3). However, the Final Office Action asserts that Goss, at column 5, lines 16-67 discloses this feature. *Id.* In particular, the Final Office Action states that Goss "teaches determining the closest location of a telephone from a list (based on distance) each time an incoming call is made (*See Goss*, Col. 5 line 16-67). The Office states that this is the same as "ordering a list." (See *Final Office Action*, p.11).

Goss at column 5, lines 16-67, discloses selecting a telephone within a threshold distance from the subscriber. The method of Goss searches one or more databases to identify telephones within a "specified proximity" to the location of the subscriber. (*See Goss*, column 5, lines 15-25 and column 5, lines 60-62). The specified proximity is a threshold distance based on the hearing range of the subscriber. (*See Goss*, column 5, lines 25-32). Nonetheless, when two or more telephones are within the specified proximity, the method of Goss does not select or sort the telephones based on location. Rather, the method of Goss selects one of the telephones based on a predefined prioritization. (*See Goss*, column 5, lines 38-53). Hence, Goss does not disclose or suggest sorting a list of a plurality of addresses identifying communication devices of the subscriber based on the location data, as recited in claim 1. Claim 1 is therefore allowable.

Claim 1 also recites "selecting a first address from the sorted list of the plurality of addresses." The Final Office Action states that Davidson discloses selecting a first address from a list of a plurality of addresses. (See *Final Office Action*, p. 3). Appellant respectfully submits that selecting a first address from a list of a plurality of addresses is not a correct recitation of claim 1; rather, claim 1 recites selecting a first address from a sorted list of the plurality of addresses. Selecting the first address from a list, as the Final Office Action states, is essentially selecting an address at random if the list is not sorted in any particular order. However, selecting the first address from a sorted list means that an address having a particular feature will be selected. For example, if the list is sorted from closest to most distant based on location data, the

first address will be the address of the closest communication device based on the location data. Davidson does not disclose or suggest selecting the first address from a sorted list of addresses at least because, as the Final Office Action admits, Davidson does not disclose sorting the list of addresses. (See *Final Office Action*, p. 3). Further, as discussed above, Goss does not disclose or suggest sorting a list of a plurality of addresses identifying communication devices of the subscriber based on the location data. Thus, neither Davidson nor Goss disclose or suggest selecting a first address from the sorted list of the plurality of addresses, as recited in claim 1. For this additional reason, claim 1 is allowable.

Since the combination of Davidson and Goss does not disclose or suggest each feature of claim 1, no *prima facie* case of obviousness is established regarding claim 1. Claim 1 is therefore allowable. Claims 2-11 and 42 depend from claim 1. Thus, claims 2-11 and 42 are also allowable, at least by virtue of their dependence from claim 1.

Independent claim 13 recites a "data record further including an ordered list of addresses of the subscriber, the ordered list of addresses reordered based on the changed proximity zone field." In contrast, Davidson discloses a static order of forwarding calls that is not suggested to be reordered based on a changed proximity zone field. (*See, e.g., Davidson*, Figure 9, and column 10, lines 15-54). Thus, Davidson does not disclose or suggest a data record including an ordered list of addresses of the subscriber where the ordered list of addresses is reordered based on the changed proximity zone field, as recited in claim 13.

Goss discloses periodically updating position information for a mobile telephone. (See *Goss*, column 6, lines 18-33). Goss also discloses a disambiguation method for selecting a telephone when two or more telephones are within a specified proximity to the subscriber. (See *Goss*, column 5, lines 33-53). The disambiguation method of Goss selects a telephone based on a predefined prioritization. *Id.* Goss does not disclose or suggest a predefined prioritization that is reordered based on a changed proximity zone field. Thus, neither Davidson nor Goss disclose or suggest a data record including an ordered list of addresses of the subscriber where the ordered list of addresses is reordered based on a changed proximity zone field, as recited in claim 13. Claim 13 is therefore allowable.

Since the combination of Davidson and Goss does not disclose or suggest each feature of claim 13, no *prima facie* case of obviousness is established regarding claim 13. Claim 13 is therefore allowable. Claims 14-22 depend from claim 13. Thus, claims 14-22 are also allowable, at least by virtue of their dependence from claim 13.

Independent claim 23 recites "wherein the proximity sensor is a charging cradle, the charging cradle configured to provide energy to a battery within the mobile device when the mobile device is positioned in the cradle." The Final Office Action states that Davidson discloses this feature of claim 23 at column 3, lines 36-40, and column 5, line 55 through column 6, line 19, citing an "off-hook" and "on-hook" feature of Davidson. (See *Final Office Action*, p. 6). The Final Office Action also states:

> Davidson teaches implementing a proximity detection device circuitry that includes an "off-hook" state sender, which would be included inside the base of a telephone (Fig. 2 [162 & 204]). Therefore, it would have been obvious for one of ordinary skill in the art to be motivated to include a small proximity device sensor (designed to be built into another device (Col. 3 line 36-40)) inside a charging cradle for a mobile phone since a charging cradle with a proximity sensor would be analogous to a rotary phone base with an "off-hook" state sender and a proximity detection circuitry (Fig. 2 & Fig. 3).

(See Final Office Action, p. 12.)

Hence, the Final Office Action takes the position that a rotary phone base with an "off-hook" state sender discloses a charging cradle with a proximity sensor for a mobile phone. Appellant respectfully disagrees. Nowhere in Davidson or Goss do the terms "charge," "recharge" or "cradle" appear. Moreover, a rotary phone base with an "off-hook" state is not equivalent to or analogous to a charging cradle for a mobile phone, as recited in claim 23. For example, the two devices include different circuitry, they accomplish different functions, and a rotary phone base with an "off-hook" state sender will not provide energy to a battery within a mobile device when the mobile device is positioned in the cradle, as recited in claim 23. Claim 23 is therefore allowable

Since the combination of Davidson and Goss does not disclose or suggest each feature of claim 23, no *prima facie* case of obviousness is established regarding claim 23. Claim 23 is therefore allowable. Claims 24-27 and 29-36 depend from claim 23. Thus, claims 24-27 and 29-36 are also allowable, at least by virtue of their dependence from claim 23.

In addition, the asserted combination of Davidson and Goss is improper because the modification to the references based on the combination would render the references unsatisfactory for their intended purposes. In particular, Goss is directed to a system that directs an incoming call to a telephone proximate to a location determining device. (*See e.g., Goss*, column 5, lines 16-27). In direct contrast, Davidson is directed to a system that either places a call as dialed, or forwards the call to a location away from the proximity detector. (*See e.g., Davidson*, column 8, lines 39-45). That is, Davidson either rings the telephone called, or forwards the call to a location distant from the proximity detector, while Goss always attempts to call a location near the location determining device. Davidson cannot accomplish its intended purpose if it forwards calls to the proximity sensor. Likewise, Goss cannot accomplish its purpose if it forwards calls away from the location determining device. Thus, for Davidson and Goss to be combined, the references must be modified so that they are unsatisfactory for their intended purposes.

The asserted combination is also improper because it is improper to combine references where the references teach away from their combination. Davidson teaches a system that determines proximity of a person to a station without identifying the particular person. (See *Davidson*, Abstract). In fact, Davidson teaches that systems which rely on identifying individual people are too complicated and costly, and that such costs and complexity are unnecessary and undesirable. (See *Davidson*, column 1, lines 53-60). In direct contrast, Goss discloses a system that routes telephone calls to a particular person (the subscriber) based on the particular person's location. (See *Goss*, column 1, lines 50-51). That is, Davidson specifically teaches away from use of the system of Goss.

Additionally, the system of Davidson only functions within an integrated services digital network (ISDN) as may be found in a particular building or workplace. (*See Davidson*, column 3, lines 61-64). Goss discloses that such systems are undesirable because they only work within

a building and with the building telephone equipment. (*See Goss*, column 1, lines 36-43). Thus, Goss specifically teaches away from systems such as the system of Davidson.

Further, Davidson discloses a static order of forwarding calls. (*See, e.g., Davidson*, Figure 9, and column 10, lines 15-54). However, Goss teaches that systems that follow a user specified call forwarding list are undesirable because users must be diligent to maintain the forwarding lists and the user may only enter a small number of forwarding numbers. (See *Goss*, column 1, lines 10-35). Thus, Goss specifically teaches away from use of the system of Davidson.

Since the combination of Davidson and Goss is improper no *prima facie* case of obviousness is established regarding independent claims 1, 13, 23. Claims 1, 13 and 23 are therefore allowable. Each of claims 2-11, 14-22, 24-27, 29-36 and 42 depend from one of claim 1, 13 and 23. Thus, claims 2-11, 14-22, 24-27, 29-36 and 42 are also allowable, at least by virtue of their dependence from an allowable independent claim.

Additionally, the dependent claims include features not disclosed or suggested by the combination of Goss and Davidson. For example, claim 4 recites wherein a unified messaging service receives the first call and places the second call. Neither Goss nor Davidson disclose or suggest a unified messaging system receiving a first call and placing a second call. In another example, claim 11 recites wherein a unified messaging system receives the location data. Neither Goss nor Davidson disclose or suggest a unified messaging system receiving location data.

For these additional reasons, Appellant respectfully requests that the rejection of claims 1-5, 9-11, 13-19, 23-26, 29, 31-33, and 42 be withdrawn.

B. CLAIMS 6-8 AND 20-22 ARE ALLOWABLE OVER DAVIDSON IN VIEW OF GOSS IN FURTHER VIEW OF GROSS

Appellant traverses the rejection of claims 6-8 and 20-22, at page 8 of the Final Office Action, under 35 U.S.C 103(a) as being unpatentable over Davidson in view of Goss in further view of Gross.

As discussed above, the combination of Davidson and Goss is improper and does not disclose or suggest each feature of independent claims 1 and 13. Gross also does not disclose the features of claims 1 and 13 that are not disclosed by Davidson and Goss. Gross discloses a "Findme" routing method that is specified by the user and followed in sequence. (See *Gross*, column 9, lines 32-36). Gross does not disclose or suggest sorting a list of a plurality of addresses identifying communication devices of a subscriber based on location data, as recited in claim 1. Nor, does Gross disclose or suggest selecting a first address from the sorted list of the plurality of addresses, as recited in claim 1. Further, Gross does not disclose or suggest a data record further including an ordered list of addresses of the subscriber where the ordered list of addresses is reordered based on the changed proximity zone field, as recited in claim 13. The combination of Davidson, Goss and Gross therefore does not disclose each feature of claims 6-8 and 20-22, at least in light of their dependence from claims 1 and 13. Hence, claims 6-8 and 20-22 are allowable.

Additionally, as explained above, there is no motivation to combine Davidson and Goss. Further, the combination of Gross with Goss is improper because it is improper to combine references where the references teach away from their combination. Gross discloses "Findme" routing that is specified by the user and followed in sequence. (See *Gross*, column 9, lines 32-36). However, Goss discloses that systems that follow a user specified call forwarding list are undesirable because users must be diligent to maintain the forwarding lists and user may only enter a small number of forwarding numbers. (See *Goss*, column 1, lines 10-35). Thus, Goss specifically teaches away from Gross.

C. CLAIMS 27, 30, AND 34-36 ARE ALLOWABLE OVER DAVIDSON IN VIEW OF GOSS IN FURTHER VIEW OF THEIMER

Appellant traverses the rejection of claims 27, 30 and 34-36, at p. 9 of the Final Office Action, under 35 U.S.C 103(a) as being unpatentable over Davidson in view of Goss in further view of Theimer.

As discussed above, the combination of Davidson and Goss is improper and does not disclose or suggest each feature of claim 23. Theimer also does not disclose the features of claim 23 that are not disclosed by Davidson and Goss. For example, Theimer does not disclose or

suggest a proximity sensor that is a charging cradle, where the charging cradle is configured to provide energy to a battery within a mobile device when the mobile device is positioned in the cradle. Thus, the combination of Davidson, Goss and Theimer does not disclose each feature of claims 27, 30 and 34-36 at least in light of their dependence from claim 23. Hence, claims 27, 30 and 34-36 are allowable.

For at least the foregoing reasons, Appellant respectfully submits that the present application is in condition for allowance and reconsideration is respectfully requested.

VIII. CLAIMS APPENDIX (37 C.F.R. § 41.37(c)(1)(viii))

The text of each claim involved in the appeal is as follows:

1. (Previously Presented) A method of processing a call, the method comprising:

receiving location data via an interconnected network, the location data derived from a proximity sensor, the proximity sensor configured to provide a proximity determination with respect to a mobile device of a subscriber and the proximity sensor;

sorting a list of a plurality of addresses identifying communication devices of the subscriber based on the location data;

receiving a first call at a primary destination address associated with the subscriber;

selecting a first address from the sorted list of the plurality of addresses, the selected address identifying a communication device of the subscriber proximate to the proximity sensor.

2. (Original) The method of claim 1, wherein the mobile device is incorporated within the communication device.

3. (Original) The method of claim 1, further comprising placing a second call to the selected address.

4. (Original) The method of claim 3, wherein a unified messaging service receives the first call and places the second call.

5. (Original) The method of claim 3, further comprising receiving an indication that the subscriber has answered the second call.

6. (Previously Presented) The method of claim 5, further comprising:
prompting for a caller's name;
receiving the caller's name;
playing an announcement to the subscriber including the caller's name;
prompting the subscriber to take a selected action from a menu of available actions; and
based on input from the subscriber, performing the selected action.

7. (Original) The method of claim 6, wherein the selected action is routing the first call to voice mail.

8. (Original) The method of claim 6, wherein the selected action is connecting the first call and the second call to allow the caller to engage in a conversation with the subscriber.

9. (Original) The method of claim 1, further comprising determining that the subscriber location is within a second proximity zone proximate to a second proximity device, the second proximity device associated with a second address.

10. (Original) The method of claim 9, wherein the second proximity zone is a mobile zone not proximate to the proximity sensor, the mobile zone associated with a mobile address.

11. (Original) The method of claim 1, wherein a unified messaging system receives the location data.

12. (Canceled)

13. (Previously Presented) A method to update a proximity zone state, the method comprising:

receiving location data via an interconnected network, the location data derived from a proximity sensor, the proximity sensor configured to provide a proximity determination with respect to a mobile device of a subscriber and the proximity sensor;

detecting a change in subscriber location based on the location data;

determining a change from a first proximity zone state to a second proximity zone state based on the subscriber location; and

updating a data record utilizing the location data, the data record accessible to a call redirection control system, the data record including a proximity zone field, the proximity zone field changed from a first proximity zone state to a second proximity zone state, the data record further including an ordered list of addresses of the subscriber, the ordered list of addresses reordered based on the changed proximity zone field.

14. (Original) The method of claim 13, wherein the first proximity zone state is a fixed proximity zone associated with a home or office.

15. (Original) The method of claim 13, wherein the second proximity zone state is a mobile proximity zone.

16. (Previously Presented) The method of claim 13, wherein the call redirection control system redirects a call to addresses of the ordered list of addresses of the subscriber until the subscriber answers the call or an end of the ordered list of addresses is reached.

17. (Original) The method of claim 13, further comprising:

at the call redirection control system, receiving a first call at a primary destination address associated with the subscriber;

playing an announcement;

prompting for a caller's name;

receiving the caller's name; and

retrieving the data record to identify a selected address, the selected address identifying a communication device of the subscriber, the communication device located within a proximity zone proximate to the proximity sensor.

18. (Original) The method of claim 17, further comprising placing a second call to the selected address.

19. (Original) The method of claim 17, further comprising receiving an indication that the subscriber has answered the second call.

20. (Original) The method of claim 17, further comprising:

playing an announcement to the subscriber including the caller's name;

prompting the subscriber to take a selected action from a menu of available actions; and

based on input from the subscriber, performing the selected action.

21. (Original) The method of claim 17, wherein the selected action is routing the first call to voice mail.

22. (Original) The method of claim 17, wherein the selected action is connecting to a caller of the first call to engage in communication.

23. (Previously Presented) A system for manipulating call redirection, the system comprising:

a proximity sensor configured to determine whether a mobile device is proximate to the proximity sensor, wherein the proximity sensor is a charging cradle, the charging cradle configured to provide energy to a battery within the mobile device when the mobile device is positioned in the cradle;

computational circuitry coupled to the proximity sensor, the proximity sensor configured to communicate data to the computational circuitry, the data associated with a proximity determination with respect to the mobile device and the proximity sensor; and

an interconnected network access point to a computer network coupled to the computational circuitry to transmit a call redirection control message via the interconnected network access point in response to the proximity determination.

24. (Original) The system of claim 23, wherein the mobile device comprises a personal digital assistant.

25. (Original) The system of claim 23, wherein the mobile device comprises a mobile phone.

26. (Original) The system of claim 23, wherein the mobile device is a radio frequency identification tag, a smartcard, or a wearable electronics device.

27. (Original) The system of claim 23, wherein the computational circuitry is a personal computer.

28. (Canceled)

29. (Original) The system of claim 23, wherein the proximity sensor comprises a radio frequency receiver.

30. (Original) The system of claim 23, wherein the proximity sensor comprises a radio frequency identification (RFID) receiver.

31. (Original) The system of claim 23, wherein the proximity sensor communicates via a wireless communication protocol.

32. (Original) The system of claim 31, wherein the wireless communications protocol is Bluetooth®.

33. (Original) The system of claim 23, wherein the wireless communication protocol is a IEEE 802.11 type protocol.

34. (Original) The system of claim 23, wherein the interconnected network access point is a broadband modem.

35. (Previously Presented) The system of claim 23, wherein the interconnected network access point is at least one of a router or a data network switch.

36. (Original) The system of claim 23, wherein the call redirection control message is an Remote Procedure Calls (RPC), InterProcess Communications (IPC) message, Simple Object Access Protocol (SOAP) message, email message, HyperText Transfer Protocol (HTTP) message, or file transfer protocol (FTP) message.

37. (Withdrawn) A mobile communication device comprising:

an antenna;

a housing coupled to the antenna, the housing incorporating:

a global positioning sensor configured to determine a location;

a memory storing a record associating a specific location with a network address;

computational logic configured to access the specific location and configured to compare the specific location to the location; and

a network interface, the computational logic configured to communicate a redirect message in response to comparing the specific location to the location.

38. (Withdrawn) The mobile communication device of claim 37, wherein the redirect message initiates redirection of data originally to be sent to a first network address to be redirected to a second network address.

39. (Withdrawn) The mobile communication device of claim 37, wherein the network interface communicates a message that cancels redirection of data after the location moves out of a coverage region including the specific location.

40. (Withdrawn) The mobile communication device of claim 37, wherein the network interface is a mobile communications interface.

41. (Withdrawn) The mobile communication device of claim 37, wherein the redirect message is communicated via a short message service protocol.

42. (Previously Presented) The method of claim 1, further comprising
placing a second call to the selected address;
selecting a second address from the sorted list of the plurality of addresses, the selected second address identifying a second communication device of the subscriber; and
placing a third call to the selected second address.

IX. EVIDENCE APPENDIX (37 C.F.R. § 41.37(c)(1)(ix))

(N/A)

X. RELATED PROCEEDINGS APPENDIX (37 C.F.R. § 41.37(c)(1)(x))

(N/A)

XI. CONCLUSION

For at least the above reasons, all pending claims are allowable and a notice of allowance is courteously solicited. Please direct any questions or comments to the undersigned attorney at the address indicated. Appellant respectfully requests reconsideration and allowance of all claims and that this patent application be passed to issue.

Respectfully submitted,

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Date

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